

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER:
S&B-0008

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

10/577742
U.S. APPLICATION NO. (if known see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.:
PCT/CA2004/001891

INTERNATIONAL FILING DATE:
29 October 2004 (29.10.2004)

PRIORITY DATE CLAIMED:
31 October 2003 (31.10.2003)

TITLE OF INVENTION: **BACTERIAL VIRULENCE FACTORS AND USES THEREOF**

APPLICANT(S) FOR DO/EO/US: **Brett FINLAY, Samantha GRUENHEID, Wanyin DENG, Bruce VALLANCE and Jose L. PUENTE**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4). (**Unexecuted**)
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.182-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
**copy of form PCT/IB/308 and
return postcard**

EXPRESS MAIL Mailing Label No. EV 670673739 US
Date of Deposit: April 27, 2006

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IAP17 Rec'd PCT/PTO 27 APR 2006

U.S. APPLICATION NO. 10/577742		INTERNATIONAL APPLICATION NO.: PCT/CA2004/001891		ATTORNEY DOCKET NUMBER S&B-0008	
The following fees are submitted:					
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))		\$300		\$300	
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))					
If written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)					
		\$0.00		\$200	
All other situations		\$200			
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))					
If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)		\$0			
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority		\$100		\$400	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB		\$400			
All other situations		\$500			
TOTAL of 21, 22 and 23 =				\$900	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50=		X \$250	\$	
Surcharge of \$130.00 for furnishing any of the search fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =		X \$50	\$	
Independent Claims	- 3 =		X \$200	\$	
Multiple dependent claims(s) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$900	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$450	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
				+	
TOTAL NATIONAL FEE =				\$450	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +					
TOTAL FEES ENCLOSED =				\$450	
				Amount to be: refunded	\$
				Amount to be charged	\$

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Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. Department of Commerce

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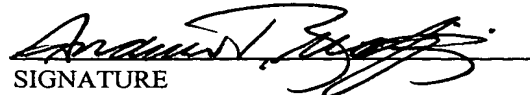
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- a. ☐ A check in the amount of \$ _____ to cover the above fee is enclosed.
- b. ☒ Please charge my Deposit Account No. 23-3050 in the amount of \$450 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required ** (except additional claims fees)** , or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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Philadelphia, PA 19103
(215) 568-3100


SIGNATURE

Andrew T. Serafini
NAME

41,303
REGISTRATION NUMBER